

# TRANSMITTAL FORM

Application Number: 10/555,109  
 Filing Date: November 1, 2005  
 First Named Inventor: Jian-Yun DONG  
 Art Unit: 1636  
 Examiner Name: Unknown

Total Number of Pages in this Submission : \_\_\_\_\_

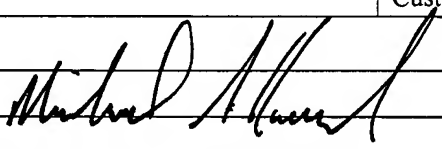
Attorney Docket Number: MESC:014US

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> References _____ <input type="checkbox"/> Foreign Search Report <input type="checkbox"/> Certified Copy of Priority Documents <input checked="" type="checkbox"/> Reply to Missing Parts/Requirements <input checked="" type="checkbox"/> Reply to Missing Parts/Requirements <input checked="" type="checkbox"/> Declaration(s) 1 <input checked="" type="checkbox"/> Copy of Notice of Missing Parts/Requirements	<input type="checkbox"/> Drawings(s) _____ <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Statement under 37 CFR §3.73(b) <input type="checkbox"/> Designation of Patent Practitioners <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Check in the amount of \$860.00 <input checked="" type="checkbox"/> Authorized to be charged to deposit account if check insufficient or inadvertently omitted Deposit account number: <u>50-1212/MESC:014US</u> <input type="checkbox"/> Sequence Statement <input type="checkbox"/> Paper Copy of Sequence Listing <input type="checkbox"/> Computer Readable Form (CRF) <input checked="" type="checkbox"/> Postcard <input type="checkbox"/> _____ <input type="checkbox"/> _____
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Remarks:

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fulbright & Jaworski L.L.P.	Customer Number	32425
Signature			
Printed Name	Michael R. Krawzsenek	Reg. No.	51,898
Date	December 13, 2006		

## EXPRESS MAIL MAILING LABEL

NUMBER EV 448721507 US

DATE OF DEPOSIT December 13, 2006

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Jian-Yun DONG *et al.*

Serial No.: 10/555,109

Filed: November 1, 2005

For: AN AUTOLOGOUS UPREGULATION  
MECHANISM ALLOWING OPTIMIZED  
CELL TYPE-SPECIFIC AND  
REGULATED GENE EXPRESSION  
CELLS

Group Art Unit: 1636

Examiner: Unknown

Atty. Dkt. No.: MESC:014US

EXPRESS MAIL MAILING LABEL	
NUMBER	EV 448721507 US
DATE OF DEPOSIT	December 13, 2006

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

**MS PCT**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated June 13, 2006, there are enclosed herewith:

- (a) Declaration executed on behalf of Jian-Yun DONG, Semyon RUBINCHIK and Jan WORARATANADHARM;
- (b) A Power of Attorney on behalf of MUSC FOUNDATION FOR RESEARCH DEVELOPMENT;

- (c) Our check in the amount of \$860.00 to cover the surcharge for late filing (\$65.00); four month extension of time fee (\$795.00);
- (d) A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and
- (e) A Request for Extension of Time of four months to and including December 13, 2006. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/MESC:014US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

12/18/2006 LLANDGRA 00000016 10555109

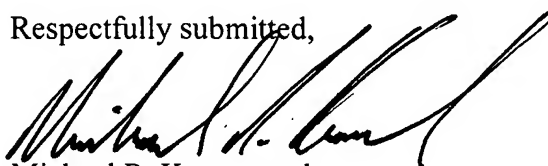
01 FC:2254  
02 FC:2617

795.00 OP  
65.00 OP

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: December 13, 2006

Respectfully submitted,



Michael R. Krawzsenek  
Reg. No. 51,898  
Attorney for Applicants



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/555,109	Jian-Yun Dong	MESC:014US

INTERNATIONAL APPLICATION NO.
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PCT/US04/13487

I.A. FILING DATE	PRIORITY DATE
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04/30/2004

05/01/2003

32425  
 FULBRIGHT & JAWORSKI L.L.P.  
 600 CONGRESS AVE.  
 SUITE 2400  
 AUSTIN, TX 78701

CONFIRMATION NO. 5410

## 371 FORMALITIES LETTER



\*OC000000019232680\*

Date Mailed: 06/13/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 11/01/2005
- Copy of the International Search Report filed on 11/01/2005
- Biochemical Sequence Diskette filed on 11/01/2005
- Biochemical Sequence Listing filed on 11/01/2005
- U.S. Basic National Fees filed on 11/01/2005
- Priority Documents filed on 11/01/2005
- Specification filed on 11/01/2005
- Claims filed on 11/01/2005
- Abstracts filed on 11/01/2005
- Drawings filed on 11/01/2005
- Paper nucleotide sequence listings filed on 11/01/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/555,109	PCT/US04/13487	MESC:014US

FORM PCT/DO/EO/905 (371 Formalities Notice)